

PROB 12A  
(Rev. 5/02 WVN)

**United States District Court  
for the  
Northern District of West Virginia**

**Report on Offender Under Supervision**

Name of Offender: Keith Derwan Freeman

Case Number: 3:16CR28

Name of Sentencing Judicial Officer: The Honorable Gina M. Groh, Chief U. S. District Judge

Date of Original Sentence: May 8, 2017

Original Offense: Possession with Intent to Distribute Heroin

Original Sentence: 15 months of imprisonment, followed by three years of supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: June 29, 2018

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**NON-COMPLIANCE SUMMARY**

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Non-compliance</u>
1	<b>Special Condition: If the judgment imposes a financial penalty, you must pay the financial penalty in accordance with the Court ordered schedule of payments. You must also notify the court of any changes in your economic circumstances that might affect your ability to pay this financial penalty.</b>
2	<b>Special Condition: Upon release from imprisonment, you must immediately begin making fine payments of \$100 per month, due by the fifth of each month.</b>

The defendant is currently under supervision with the Eastern District of Pennsylvania. On July 9, 2019, our office received a non-compliance report from the defendant's supervising U. S. Probation Officer, John C. Chilet. According to Officer Chilet, the defendant has struggled to comply with the Court's imposed fine payment schedule. While the defendant has made payments towards his balance, it appears he has not been consistent with the required \$100 per month schedule. Officer Chilet, has verified the defendant's employment status and ability to pay the fine accordingly. Attached for the Court's review is a copy of Officer Chilet's non-compliance report.

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U. S. Probation Officer Action/Recommendation:

The term of supervision should be:

- ☒ No action at this time. Officer Chilet recommends that the defedant remain under supervision in order to satisfy his fine as required by the schedule of payments.



Respectfully submitted,

By: S. McAuliffe  
Sean McAuliffe, Sr.  
U. S. Probation Officer  
Date: July 19, 2019

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*No response is necessary unless the Court directs that additional action be taken as follows:*

- ☐ Submit a Request for Modifying the Condition or Term of Supervision  
☐ Submit a Request for Warrant or Summons  
☐ Other  
☒ No Response  
☒ Concur with U. S. Probation Officer's Recommendation

[Signature]  
Signature of Judicial Officer

July 29, 2019  
Date

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA  
PROBATION OFFICE**

**MATTHEW R. MACAVOY  
CHIEF U.S. PROBATION OFFICER**

FEDERAL BUILDING  
SUITE 1401  
504 W. HAMILTON STREET  
ALLENTOWN, PA 18101  
610-434-4062  
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July 9, 2019

Terry Huffman, Chief U.S. Probation Officer  
United States District Court  
Federal Building Annex  
1125 Chapline Street, Suite 101  
Wheeling, WV 26003

RE: Freeman, Keith Derwan  
Case No.: 3:16CR00028-001 (ND/WV)  
**NOTICE OF NONCOMPLIANCE**

Dear Chief Huffman:

On May 8, 2017, Mr. Keith Derwan Freeman appeared before The Honorable Chief Gina M. Groh, in the Northern District of West Virginia, after having previously pled guilty to Possession With Intent to Distribute Heroin (Count One). Mr. Freeman was sentenced to fifteen (15) months custody of U.S. Bureau of Prisons, followed by a three (3) year term of supervised release. A \$100.00 Special Assessment fee was imposed. The following special conditions were also imposed: 1) If the judgment imposes a financial penalty, you must pay the financial penalty in accordance with the Court ordered schedule of payments. You must also notify the court of any changes in your economic circumstances that might affect your ability to pay this financial penalty; 2) Upon release from imprisonment, you must immediately begin making fine payments of \$100 per month, due by the fifth of each month; 3) You must provide the probation officer with access to any requested financial information and authorize the release of any financial information. The probation officer may share financial information with the U.S. Attorney's Office; 4) You must submit to substance abuse testing to determine if you have used a prohibited substance. You must not attempt to obstruct or tamper with the testing methods; 5) Unless excused for legitimate reasons, if not in compliance with the condition of supervision requiring full-time employment at a lawful occupation, you may be required to perform up to 20 hours of community service per week until employed, as approved by the probation officer; and 6) The defendant was ordered to pay a fine in the amount of \$3,000.00.

On June 29, 2018, Mr. Freeman commenced supervision in the Eastern District of Pennsylvania. Mr. Freeman's term of supervised release is due to expire on June 28, 2021.

While on supervised release, Mr. Freeman has shown the ability to comply with the standard and special conditions of supervision imposed at time of sentencing. Mr. Freeman has maintained a stable residence, maintained steady employment, and has refrained from the use of illicit substances.

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Although Mr. Freeman's overall adjustment to supervision is compliant, Mr. Freeman has failed to make consistent monthly payments toward his Court ordered financial obligation as required. As per order of the Court, Mr. Freeman is directed to make payments of no less than \$100.00 per month toward his Court ordered financial obligation. Since June of 2018, Mr. Freeman failed to submit payments for July 2018, November 2018, January 2019, March 2019, April 2019, and May 2019. Although Mr. Freeman failed to make these payments as noted, Mr. Freeman made payments of \$200.00 in August 2018, September 2018, October 2018, December 2018, February 2019, and June 2019. As a result, Mr. Freeman is currently up to date with the amount due and has an outstanding total balance of \$1,725.00. The special assessment fee for this case has been satisfied.

On June 18, 2019, U.S. Probation Officer John C. Chilet conducted a field contact with Mr. Freeman for the purpose of addressing this noncompliant behavior. During this contact, Mr. Freeman reported he remains employed as a mechanic for Nazareth Pike Automotive, in Freemansburg, Pennsylvania. Mr. Freeman further stated he currently has sufficient income to make the Court ordered payments according to schedule. Mr. Freeman acknowledges the importance of making these monthly payments and has agreed to make a better effort to comply with this order each month.

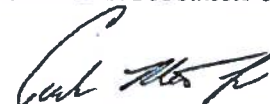
At this time, our office respectfully requests that your Court be informed of Mr. Freeman's recent noncompliant behavior. It is also recommended that Mr. Freeman be allowed the opportunity to continue making payments toward his Court ordered financial obligations in the amount of \$100.00 per month.

Should Mr. Freeman fail to adhere to the financial payment obligation, or if any other noncompliance issues arise, this officer will notify the Court and submit a revised recommendation at that time.

Thank you for your attention in this matter. Should you require any further information, please contact the undersigned officer at 610-776-6135.

Sincerely,

Matthew R. MacAvoy  
Chief U.S. Probation Officer

  
John C. Chilet  
U.S. Probation Officer

JCC/rp

Approved by:   
Carlos Montgomery  
Supervising U.S. Probation Officer